

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**VEOLIA TRANSPORTATION SERVICES, INC.  
(PHOENIX DIVISION)**

**and**

**Cases 28-CA-023249  
28-CA-023358  
28-CA-023401  
28-CA-023497**

**AMALGAMATED TRANSIT UNION,  
LOCAL 1433, AFL-CIO**

**NOTICE OF ACTING GENERAL COUNSEL'S WITHDRAWAL  
OF MOTIONS FOR DEFAULT JUDGMENT AND ISSUANCE  
OF DECISION AND ORDER**

On March 9, 2012, the Acting General Counsel (the General Counsel) filed with the Board a Motion for Default Judgment and Issuance of Decision and Order (Motion), based on the terms of the informal Board Settlement Agreement entered into by Respondent. The General Counsel requested that the Board issue a Decision and Order containing findings of fact and conclusions of law premised on, and in accordance with, the allegations of the reissued Second Consolidated Complaint in the above-captioned matter (the Consolidated Complaint) and providing a remedy for such unfair labor practices.

On March 28, 2012, the Charging Party requested permission to withdraw its charges in this matter on the grounds that the parties have entered into a non-Board settlement. Accordingly, the General Counsel notifies the Board and all parties of its withdrawal of its Motion currently pending at the Board so as to allow the Regional Director to further process this matter consistent with the purposes and policies of the Act.

Dated at Phoenix, Arizona, this 30<sup>th</sup> day of March 2012.

Respectfully submitted,

/s/ Eva Shih Herrera

Eva Shih Herrera  
Counsel for the Acting General Counsel  
National Labor Relations Board  
2600 North Central Avenue, Suite 1400  
Phoenix, AZ 85004  
Telephone: 602-640-2135  
Facsimile: 602-640-2178  
E-mail: [eva.herrera@nrlrb.gov](mailto:eva.herrera@nrlrb.gov)

## CERTIFICATE OF SERVICE

I hereby certify that a copy of NOTICE OF ACTING GENERAL COUNSEL'S WITHDRAWAL OF MOTIONS FOR DEFAULT JUDGMENT AND ISSUANCE OF DECISION AND ORDER, Cases 28-CA-023249 et al. was served by E-Gov, E-Filing, E-Mail, and regular mail on this 30<sup>th</sup> day of March 2012, on the following:

***Via E-Gov, E-Filing:***

Lester A. Heltzer, Executive Secretary  
Office of the Executive Secretary  
National Labor Relations Board  
1099 14<sup>th</sup> Street, N.W.  
Washington, D.C. 20570

***Via E-Mail:***

James N. Foster, Jr., Attorney at Law  
Mcmahon & Berger, P.C.  
2730 North Ballas Road, Suite 200  
Saint Louis, MO 63131-3039  
Email: Foster@Mcmahonberger.Com

Gerald Barrett, Attorney at Law  
Michael J. Keenan, Attorney at Law  
Ward, Keenan And Barrett, P.C.  
3838 North Central Avenue, Suite 1720  
Phoenix, AZ 85012-1906  
Email: Gbarrett@Wardkeenabarrett.Com  
Email: Mkeenan@Wardkeenabarrett.Com

Joseph M. Burns, Attorney at Law  
Jacobs Burns Orlove Stanton & Hernandez  
122 South Michigan Avenue, Suite 1720  
Chicago, IL 60603-6145  
Email: jburns@jbosh.com

***Via Regular Mail:***

Veolia Transportation Services, Inc.  
Phoenix Division  
2015 Spring Road, Suite 750  
Oak Brook, IL 60523-1811

Veolia Transportation Services, Inc.,  
Phoenix Division  
2225 West Lower Buckeye Road  
Phoenix, AZ 85009

Amalgamated Transit Union, Local 1433  
PO Box 31901  
Saint Louis, MO 63131-0901

Amalgamated Transit Union, Local #1433  
PO Box 4366  
Phoenix, AZ 85030-4366

/s/ Eva Shih Herrera

Eva Shih Herrera  
Counsel for the Acting General Counsel  
National Labor Relations Board  
2600 North Central Avenue, Suite 1400  
Phoenix, AZ 85004  
Telephone: 602-640-2135  
Facsimile: 602-640-2178  
E-mail: eva.herrera@nlrb.gov